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BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS



STANDING RULES OF PROCEDURE FOR ASSEMBLIES

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STANDING RULES OF PROCEDURE FOR ASSEMBLIES

Interpretation

1. In these Standing Rules of Procedure for Assemblies, unless the context otherwise requires:
 - (a) “Assembly” means either an Annual General Meeting or a Special Chiefs Assembly;
 - (b) “Assembly Hall” means the room in which the business of an Assembly is conducted;
 - (c) “Chair” means the individual or individuals performing the role of chair at an Assembly;
 - (d) “Elder Observer” means an individual registered at an Assembly pursuant to Rule 16;
 - (e) “Media Observer” means an individual registered at an Assembly pursuant to Rule 18;
 - (f) “Observer” means an individual registered at an Assembly pursuant to Rule 19;
 - (g) “Participatory Representative” means an individual registered at an Assembly pursuant to Rule 15.
 - (h) “Proxy Holder” means an individual who is appointed as a member’s proxy in accordance with the Bylaws;
 - (i) “Registration Coordinator” means one or more BCAFN employees who are responsible for registration at an Assembly;
 - (j) “Standing Rules” mean these Standing Rules of Procedure for Assemblies, which, for certainty, are rules of order for purposes of Bylaw 4.16; and
 - (k) “Student Observer” means an individual registered at an Assembly pursuant to Rule 17.
2. Words not specifically defined in these Standing Rules have the same meaning as defined in the Bylaws or Governance Manual.
3. If any provisions of these Standing Rules conflict with the Bylaws or Governance Manual, the Bylaws or Governance Manual, as the case may be, will prevail to the extent of such conflict.

Registration

4. Every person attending an Assembly, other than the Regional Chief and employees of the BCAFN or AFN, will register in one of the following categories:
 - (a) Member Delegate;
 - (b) Proxy Holder;
 - (c) Participatory Representative;
 - (d) Elder Observer;
 - (e) Student Observer;
 - (f) Media Observer; or
 - (g) Observer.
5. No person may be registered in more than one category.
6. No person, other than the Regional Chief, BCAFN employees, BCAFN service providers and contractors providing technical support for the Assembly, will be admitted to the Assembly Hall unless duly registered.
7. No person will be allowed in the Assembly Hall while under the influence of alcohol or drugs.
8. The Registration Coordinator is responsible for registering all individuals at an Assembly other than Media Observers, whose registration is to be managed by the Chief of Staff or, if the Chief of Staff is unavailable, the next most senior BCAFN employee.

Member Delegate

9. Subject to Rule 10, any person whose name is on the Membership List as a Member Delegate of their member First Nation may register as a Member Delegate at the Assembly.
10. In accordance with sections 8.7, 8.8 and 8.9 of the Governance Manual, if an election or other leadership selection process has resulted in a change in the office of Chief of a member First Nation, or in the office of senior political representative in the case of a First Nation member that has replaced the Chief and Council system, and this change has not been reflected in the Membership List, a person presenting themselves for registration as a Chief or designated senior political representative, as the case may be, may establish their credentials by presenting a valid resolution of the First Nation's elected governing body that confirms their position as Chief or designated senior political representative, as the case may be, of their member First Nation.

Proxy Holder

11. If a member has appointed and not revoked a proxy in accordance with Bylaws 4.25, 4.27, 4.28, 4.29 and 4.30, the appointed person may register as a Proxy Holder at the Assembly, unless they are also a Member Delegate, in which case, the appointee will be registered as a Member Delegate.
12. A Proxy Holder has the authority to speak and vote on behalf of the appointing member for the whole of the Assembly for which their proxy appointment was issued, unless and until the proxy is revoked in accordance with the Bylaws.
13. The Registration Coordinator may accept as a proxy appointment or revocation a letter signed by an authorized representative of the member, or a legible faxed or emailed copy of the form provided by BCAFN.
14. If a proxy appointment is revoked during an Assembly, the Registration Coordinator will ensure that the individual whose proxy has been revoked promptly returns the lanyard and/or any other means by which they are identified as having the right to participate in the Assembly as a Proxy Holder. If the lanyard or other means of identification, as the case may be, is not returned, the Chair will make an announcement signaling the revocation to the Assembly.

Participatory Representative

15. An individual may register as a Participatory Representative if that individual:
 - (a) holds office as a hereditary Chief or traditional leader of a member First Nation;
 - (b) is the head of a First Nations provincial/territorial political organization;
 - (c) is the Grand Chief or head of a tribal council;
 - (d) is the head of a treaty group or of a First Nation organization or association with which the BCAFN or AFN have entered into a written protocol that allows for invitations to be extended to such persons to attend and be permitted to speak at Assemblies on specific issues, as authorized by the protocol;
 - (e) is a member of the Board who is not a Member Delegate or Proxy Holder; or
 - (f) is a BCAFN Representative or otherwise elected or appointed to a committee pursuant to the Constitution and Bylaws or Governance Manual and who is not also a Member Delegate or Proxy Holder.

Elder Observer

16. An individual may apply to register as an Elder Observer if they are an Elder Advisor or if they are recognized as an elder by their First Nation.

Student Observer

17. An individual may apply to register as a Student Observer if they present valid student identification to the Registration Coordinator at the time of registration.

Media Observer

18. An individual may apply to register as a Media Observer if they are a journalist, reporter, producer or editor who is affiliated with a recognized print or broadcast media organization.

Observer

19. Any individual other than an individual registering as a Member Delegate, Proxy Holder, Participatory Representative, Elder Observer, Student Observer or Media Observer may apply to register as an Observer.

Disputes over Registration

20. An application to register as an Elder Observer, Student Observer or Observer under Rules 16, 17 or 19 may be declined by the Registration Coordinator, and an application to register as a Media Observer under Rule 18 may be declined by the Chief of Staff or the next most senior BCAFN employee, as the case may be, if there are reasonable grounds to believe that the applicant intends to disrupt the Assembly or otherwise harm the ability of the Chiefs-in-Assembly to conduct business and achieve the objectives of the BCAFN.
21. Any dispute regarding registration, including a dispute arising from a decision of the Registration Coordinator under Rule 20 to decline an application to register, must be referred to the Chief of Staff or, if the Chief of Staff is unavailable, the next most senior BCAFN employee, who will make a final determination.
22. For certainty, a decision by the Chief of Staff or the next most senior BCAFN employee, as the case may be, to decline an application to register as a Media Observer under Rule 18 is a final determination and is not subject to review or appeal.

Representation and Participation in Assembly Deliberations

23. Each member First Nation may be represented by a Member Delegate or a Proxy Holder for the purposes of speaking or voting on any question, moving or seconding a motion or otherwise participating in deliberations of any Assembly.
24. Participatory Representatives may attend any part of an Assembly and may address an Assembly with the permission of the Chair, but do not have the right to vote on any question before the Assembly.
25. For certainty, at any time during the Assembly, the members may pass a motion to direct Media Observers to leave the Assembly Hall for the duration of one or more parts of the agenda.

Assembly Hall

26. For admission to the Assembly Hall and to facilitate identification and seating, Member Delegates, Proxy Holders, Participatory Representatives, Media Observers and others will be required to wear the lanyard, badge and/or other means of identification issued to them by BCAFN employees. Elders may be exempted from this rule.
27. Elder Observers, Member Delegates and Proxy Holders will be given priority access to seating in the Assembly Hall. Media Observers will be required to sit in a designated area in the Assembly Hall.

Meetings

28. Notice of an Assembly will be given to members in accordance with Bylaws 4.8, 4.9, 4.10 and 4.11.
29. The business that is conducted by Member Delegates and Proxy Holders in the timeframe specified in the notice of an Assembly will together constitute and be considered a single Assembly.
30. Subject to Bylaws 4.13, 4.14 and 4.15, the Chair may recess or adjourn a meeting at any time at their discretion. When announcing a recess or adjournment, the Chair will specify the time that the Assembly will resume.

Quorum

31. The Chair may call a meeting to order, upon seeing that a quorum of members, as defined in Bylaw 4.12, is likely present in the Assembly Hall.
32. The Registration Coordinator or another BCAFN employee will advise the Chair of the number of registered Member Delegates and Proxy Holders before noon on the first day of the Assembly.
33. If the Registration Coordinator or any other BCAFN employee becomes aware that the number of Member Delegates and Proxy Holders has changed significantly since their last report, that individual will notify the Chair of the change.

Meeting Rules and Agenda

34. Following the call to order on the first day of a meeting, the opening prayer by an elder and other related protocol, the Chair will briefly review these Standing Rules and ensure that copies of these Standing Rules are available to any Member Delegate or Proxy Holder wishing to review them.
35. The draft agenda must be adopted by motion at the beginning of a meeting following opening protocol.

36. The agenda, as adopted, must be followed unless the members, on a motion properly moved and seconded, decide by acclamation, consensus or a majority vote in favour, to set any part of the agenda aside for a day, part of a day or such longer period of time as may be set out in the motion.
37. Notwithstanding Rule 36, the Chair has the authority to change the order in which items on the adopted agenda are presented if, in the Chair's opinion, such reordering would assist the Assembly to address the entire adopted agenda within the time allocated to the meeting.

Record of Proceedings

38. A record of proceedings must be maintained and include:
 - (a) the name and number of the meeting;
 - (b) the dates and place of the meeting;
 - (c) the hours of the meeting and the adjournment; and
 - (d) resolutions adopted and the means by which they were adopted (e.g. acclamation, consensus, voting results).

Meeting Documents

39. Subject to Rules 49 to 57 governing the submission of draft resolutions, Member Delegates and Proxy Holders may submit documents or other materials for consideration at the Assembly that are related to items on the agenda.

Chair

Appointment

40. The Board will appoint one or two individuals as Chair in sufficient time prior to an Assembly to allow them to prepare for their responsibilities.
41. In selecting the Chair, the Board will consider whether candidates have the necessary skills and attributes for that role, which include but are not limited to the following:
 - (a) having knowledge of and experience with applying protocol and/or parliamentary procedure;
 - (b) having knowledge of and a commitment to adhering to the Constitution and Bylaws and these Standing Rules; and
 - (c) the ability to perform the duties of Chair in a nonpartisan and non-adversarial manner.

Duties

42. In advance of an Assembly, the Chair will ensure that all preparations for the Assembly are in order as far as possible.
43. During the Assembly, the Chair is the presiding officer and has overall responsibility for conducting the meeting. Accordingly, the Chair must
 - (a) preserve order and decorum at the meeting,
 - (b) manage discussions so as to make the best possible use of the time available, and
 - (c) ensure that the adopted agenda is addressed in its entirety within the time allotted for the meeting,but the Chair must not participate in Assembly discussions.

Authority

44. The Chair will decide questions of order and of privilege and, in doing so, may consult with BCAFN employees, BCAFN legal counsel and/or the Regional Chief.
45. In order to facilitate an orderly and productive meeting, the Chair has the authority to request support, and will receive reasonable support if so requested, from:
 - (a) the Chief of Staff and BCAFN policy advisors,
 - (b) contractors providing technical support for the Assembly,
 - (c) the Registration Coordinator, and
 - (d) any other BCAFN employees.
46. In any Assembly at which one or more secret ballot polls are to be conducted, the Chair will defer to the decisions of the Electoral Officer, which are taken in respect of the secret ballot polls, in accordance with the Bylaws and Article 10 of the Governance Manual.

Conduct

47. Every person in attendance must conduct themselves in a manner that respects the honour and decorum of the meeting and meeting participants.
48. The Chair may order that any individual disrupting the proceedings be expelled, and may prohibit that individual from re-entering the Assembly Hall.

Resolutions

49. The Board will review draft resolutions prior to those resolutions being presented to the Chiefs-in-Assembly.

50. In order to be considered at an Assembly, every draft resolution must:
- (a) be in written form;
 - (b) contain the names of the proposed mover and seconder, who must be Member Delegates;
 - (c) clearly set out its purpose and intent; and
 - (d) not be limited to matters that are internal disputes within a particular First Nation or community and that do not concern the broader membership.
51. For a 3-day Assembly, members may submit draft resolutions that meet the form requirements to the BCAFN no later than 12:00 pm on the second day of the Assembly.
52. Each member delegate who has submitted a draft resolution in accordance with these Standing Rules will be given an opportunity to speak to the Board, if they make a request to do so in advance of any meeting of the Board in which draft resolutions are considered.

Duties of the Board related to the resolutions process

53. Upon receiving a draft resolution, the Board will review to ensure that:
- (a) form and deadline requirements have been met;
 - (b) the content of the draft resolution is consistent with the purposes of the BCAFN, as set out in the Society's Constitution and Bylaws, and to determine if there are elements that could prevent consensus;
 - (c) the draft resolution does not conflict with past resolutions or, if there is a conflict that the proposed change is clearly stated as an intent or a purpose of the draft resolution; and
 - (d) the draft resolution is not in conflict with a draft resolution already submitted for consideration at the same meeting.
54. In cases where the Board determines that two or more draft resolutions may be combined, the respective movers and seconders may be approached to discuss the potential for a unified draft resolution.
55. The Board may:
- (a) advise the proposed mover and seconder of substantive or procedural irregularities in any draft resolution that could impede the members' ability to arrive at a consensus on the resolution and otherwise provide assistance in revising draft resolutions that have been presented in writing to the Board in accordance with these Standing Rules;

- (b) make recommendations to the mover and seconder on revisions that may assist in the adoption and implementation of the draft resolution; and
 - (c) if necessary, take steps to facilitate agreement.
56. Following its review of all draft resolutions received in accordance with these Standing Rules, the Board will inform the Chair of its recommendations on whether or not each draft resolution should be placed before the Assembly and likewise will make its report to the Assembly. If the Board recommends against placing a draft resolution before the Assembly, the Board will provide the Chair and the Assembly the reasons for its recommendation. The Assembly will have the final decision on whether any draft resolution is in a form acceptable to be discussed at the meeting.
57. Where there is any inconsistency or conflict between two resolutions that have been duly adopted by the members, the resolution adopted at a later date will take precedence over any resolution adopted earlier to the extent of the inconsistency or conflict.

Conduct of Discussion in Assemblies

58. Member Delegates, Proxy Holders, the Regional Chief, Elder Advisors, BCAFN Representatives and any other individual elected or appointed to a BCAFN committee or working group is entitled to address the Assembly with permission of the Chair.
59. A Participatory Representative, an Elder Observer who is not an Elder Advisor, a Student Observer or an Observer may address an Assembly if they are identified as a speaker or presenter with respect to an matter on the adopted agenda, or with the permission of the Assembly granted by way of a motion adopted by acclamation, consensus or by a majority vote without debate.
60. Member Delegates, Proxy Holders, the Regional Chief, Elder Advisors, BCAFN Representatives and any other individual elected or appointed to a BCAFN committee or working group who seeks to address the Assembly will address the Chair, and upon being recognized by the Chair, will have the floor to address the Chiefs-in-Assembly.
61. No person will address the Assembly unless the person is first recognized by the Chair. Each person will identify themselves and their First Nation or other affiliation, as the case may be, before addressing the Assembly.
62. Member Delegates and other individuals recognized by the Chair in accordance with these Standing Rules to address the Assembly may not address one another directly. All remarks must be addressed to the Chair and be concise and to the point.
63. Where a member First Nation has appointed a Proxy Holder, only the Proxy Holder may exercise the member First Nation's right to speak during that Assembly, unless otherwise permitted by the Chair.
64. Where an individual other than a Member Delegate or Proxy Holder has been permitted to speak to a matter on behalf of a member First Nation, the Member Delegate or Proxy

Holder, as the case may be, forfeits their right to be heard on the same matter during the debate on that issue, unless otherwise permitted by the Chair.

65. In discussion, Member Delegates and other individuals recognized by the Chair in accordance with these Standing Rules will confine their remarks to the question before the Assembly, and will not engage in personal attacks or question the motives of other Member Delegates or Proxy Holders.
66. If a Member Delegate or Proxy Holder objects, the individual who has the floor must not read lengthy extracts from any paper or book as part of their speech, unless so permitted by the Assembly.
67. The Chair has the authority to limit the amount of time that an individual who has the floor is permitted to speak if, in the Chair's opinion, the speech has limited relevance to the agenda item or resolution under discussion.
68. In discussion, a Member Delegate or Proxy Holder cannot speak against any prior decision or resolution of the BCAFN, unless the decision or resolution is before the Assembly for reconsideration, amendment or rescission, or unless the Member Delegate or Proxy Holder intends to conclude their remarks by giving notice of such a motion.
69. When any person has the floor, and especially when the Chair is addressing the Assembly and during discussion and deliberation by the Assembly, all persons present in the Assembly Hall will refrain as much as possible from talking or whispering, or from walking across the Assembly floor in a way that disturbs or hampers the Assembly.

Motions and resolutions

70. A motion consists of any question put by a Member Delegate or Proxy Holder to the Assembly for its decision by acclamation, consensus or vote in accordance with the Bylaws and these Standing Rules.
71. When a motion deals with a question of substantive business, policy or other significant decision (in other words not involving a procedural or minor matter) the motion must take the form of a written draft resolution before the question can be called and before the Assembly can make a decision on the question by acclamation, consensus or vote.
72. Unless the Chair indicates otherwise, introduction of a question in the form of a resolution will be limited to 5 minutes, and subsequent statements by other speakers to 3 minutes each. Following discussions, the Member Delegate who introduced the question may re-address the Assembly for 3 minutes.

Decision Making

Acclamation

73. At their discretion, the Chair may call for adoption of a motion by acclamation, following discussion on the question in accordance with these Standing Rules.

74. If and when the question is called, there is no opposition and abstention, the Chair may declare the motion carried by acclamation.

Consensus or General Agreement

75. At their discretion, the Chair may call for adoption of a motion or resolution by consensus.
76. In seeking a consensus, the Chair may seek the assistance of Elder Advisor(s).
77. Following discussion of the question, the Chair will ask if any Member Delegate or Proxy Holder opposes the motion or resolution. In determining whether a consensus exists, no abstentions can be made or recorded. If no Member Delegate or Proxy Holder speaks in opposition to the motion or resolution, the Chair may declare the motion or resolution adopted by consensus.
78. If there is no consensus or an amendment to a motion or resolution has been moved and seconded, the Chair may allow additional time for discussion and again call for adoption of the motion or resolution by consensus.

Amendment of Proposed resolutions by Consensus

79. Where there is no consensus in regard to a proposed draft resolution, a motion to amend a proposed resolution may be made. The Chair will then ask the mover and seconder of the original proposed resolution if they accept the proposed amendment. If the mover and seconder of the original proposed resolution so agree, the Chair will declare the resolution, as amended, adopted by consensus. If the mover and seconder of the original proposed resolution do not agree to the proposed amendment, the Chair will allow a period of discussion to seek consensus on a proposed amendment.
80. Where the Chair determines that consensus may require some facilitation, the Chair may appoint an ad hoc committee to facilitate the consensus-seeking process, and may have the Assembly continue with the adopted agenda while the ad hoc committee undertakes that work.
81. Following discussion, the Chair will make best efforts to facilitate consensus and if, after such efforts, the Chair determines that consensus cannot be achieved, the Chair will apply Roberts Rules of Order to facilitate the resolution of both questions (the original proposed resolution and any proposed amendments).

Decision by Majority Vote

82. As a last resort, when the Chair determines that decision by acclamation or consensus is not possible, the question will be put to a vote.
83. The chair may accept standing, showing a lanyard or by any other similar means as a “show of hands” for purposes of voting by show of hands under Bylaw 4.22.

84. For certainty, the term “appointment, removal or election of an individual to office” in Bylaw 4.22 refers to those votes that are conducted by secret ballot poll and administered by the Electoral Officer pursuant to Article 10 of the Governance Manual, namely, votes cast
- (a) in an election for any of the offices of Regional Chief, director or BCAFN Representative,
 - (b) in respect of a resolution to remove of a director under Bylaw 5.11, and
 - (c) in respect of recommendations of the Governance Committee regarding a complaint against the Regional Chief under Bylaw 8.11.

All voting at an Assembly, other than votes cast in (a), (b) or (c) above, are conducted by a show of hands.

85. When a question has been opened for discussion and no one rises to claim the floor, after the motion is stated by the Chair, they will inquire, “Are you ready for the question?” After a moment's pause, if no one rises, they should put the motion to a vote. If the motion is discussed or amendments are made, the Chair will wait until discussion has ceased, and then again state the motion and ask, “Are you ready for the question?”
86. While every Member Delegate and Proxy Holder has a duty to represent the views of their First Nation, no one can be compelled to vote. A Member Delegate or Proxy Holder may abstain from voting. Member Delegates and Proxy Holders who abstain from the vote will not be counted in calculating the percentage required to carry the motion.
87. Every Member Delegate and Proxy Holder has the right to change their vote up to the time the vote is finally announced. After that, a Member Delegate or Proxy Holder can change their vote only upon unanimous consent of the Assembly without debate.
88. As a general rule, no one can vote on a motion in which he or she has a direct personal or financial interest. This does not prevent a Member Delegate or Proxy Holder from voting for themselves, any other Member Delegate or Proxy, or other individual for any office or other position.
89. The Chair is responsible for announcing, or declaring, the results of all votes, other than those taken by way of secret ballot polls, which are managed by the Electoral Officer under Article 10 of the Governance Manual.
90. If the Chair is in doubt as to the result of a vote, the Chair may have the vote taken again. The Chair may require a division of the Assembly by having the affirmative rise and then the negative, and directing any Member Delegate who is also a Proxy Holder to indicate that fact to the Assembly. Following division, the Chair will announce or declare the vote.
91. After a vote has been taken by standing or show of hands, each Member Delegate and Proxy Holder has a right to require a division of the Assembly by having the affirmative

rise and then the negative, and the Chair in such an event will direct any Member Delegate who is also a Proxy Holder to indicate that fact to the Assembly, so that all may see how members have voted. Following division, the Chair will announce or declare the vote.

92. Where a vote on a motion results in exactly one half (1/2) of votes cast in favour, the motion does not pass.
93. When the vote has been taken and the Chair has no doubt as to the result, and no division is called for, the Chair will proceed to announce, or declare, the vote.

Disputes

94. Where a Member Delegate wishes to appeal a ruling of the Chair, he or she will do so by way of a motion.
95. A decision of the Chair may be overturned by an ordinary resolution of the members.

These Standing Rules of Procedure for Assemblies were adopted by the Chiefs-in-Assembly at the Special Chiefs Assembly on the _____ day of March, 2020.